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**From:** Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]  
**Sent:** 2/14/2019 6:16:29 PM  
**To:** Smith, Peterj [Smith.Peterj@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Kadeli, Lek [Kadeli.Lek@epa.gov]  
**CC:** Hofmann, Angela [Hofmann.Angela@epa.gov]; Layne, Arnold [Layne.Arnold@epa.gov]; Berkley, Bruce [Berkley.Bruce@epa.gov]  
**Subject:** RE: OCSPP participation on cross-agency rulemaking workgroups

Thank you, much appreciated. How does OCSPP track the milestones that are coming up for each of these and ensuring that AA input is received for Options Selection, FAR, etc.

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**From:** Smith, Peterj  
**Sent:** Thursday, February 14, 2019 12:44 PM  
**To:** Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>  
**Cc:** Hofmann, Angela <Hofmann.Angela@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>; Berkley, Bruce <Berkley.Bruce@epa.gov>  
**Subject:** OCSPP participation on cross-agency rulemaking workgroups

Good afternoon!

I understand that Angela was recently asked to provide a report addressing all of the internal, non-OCSPP rulemaking workgroups to which OCSPP has assigned one or more representatives. That report is attached. There are 2 changes from the last time RICS provided this report in mid-November, but both are noteworthy:

1. We will be joining an OAR NESHAP action that was initiated a few months ago to address a technology review for ethylene oxide sterilizers. OP is uptiering from Tier 3 to Tier 2 citing the need for extensive cross-office engagement. The impact of the uptier is that the Air program would now be required to formally engage/consult leadership from the participating offices during the early guidance and options selection steps, and use a final agency review process in which the participating offices put forth a formal concurrence/non-concurrence to the lead office and OP for inclusion in the internal record.

OPP/AD has FIFRA registration equities and will participate. I understand that OPPT will also participate. The program offices are in the process of identifying their representatives. It does not appear that OAR has not yet reached any of the core Tier 1/Tier 2 ADP milestones, so we should expect that OCSPP leadership will receive invitations as the future early guidance and options selection meetings are scheduled.

2. We will be joining a new OLEM action to list PFAS as a CERCLA Hazardous Waste. This is a Tier 1 action. The fundamental difference between Tier 1 and Tier 2 actions is that, under Tier 1, the Administrator (or Deputy Administrator) will be the decisionmaker instead of the lead office's AA.

Best,  
Peter

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